

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X  
CONN L. HOLBERT,

Plaintiff,

- against -

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
-----X

CB 5989

Civil Action No.:  
1:09-cv-00286-FJS-DEP

**STIPULATION AND  
ORDER REGARDING  
ATTORNEY FEES**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff, CONN L. HOLBERT, and counsel for Defendant, the COMMISSIONER OF SOCIAL SECURITY, that Plaintiff's counsel is awarded \$5,726.85 (Five Thousand Seven Hundred Twenty Six Dollars and Eighty Five Cents) in attorney fees plus \$350.00 (Three Hundred Fifty Dollars and Zero Cents) in court costs in full satisfaction of any claim for fees, costs and other expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.


Dated: New York, New York  
December 15, 2009

/s/Charles Binder  
CHARLES E. BINDER  
LAW OFFICES OF HARRY J. BINDER  
AND CHARLES E. BINDER, P.C.  
Attorneys for Plaintiff  
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New York, New York  
December \_\_, 2009

ANDREW T. BAXTER  
Acting United States Attorney  
100 South Clinton Street  
Syracuse, New York 13261


By:

  
Thomas C. Gray  
Special Assistant U.S. Attorney

**SO ORDERED:**

Dated: \_\_\_\_\_  
Albany, New York

IT IS SO ORDERED:

  
David E. Peebles  
U.S. Magistrate Judge  
Dated: December 31, 2009  
Syracuse, NY

\_\_\_\_\_  
Honorable David E. Peebles  
United States Magistrate Judge